

SEP 14 2006

PTO/SB/64 (10-05)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)		Docket Number (Optional) 204552029300
First named inventor: Makoto TSUJI		
Application No: 10/618,588	Art Unit: 2828	
Filed: July 15, 2003	Examiner: T. Van Roy	
Title: SEMICONDUCTOR LASER DEVICES		
MS Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		
NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.		
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.		
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION		
NOTE: A grantable petition requires the following items:		
(1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and for all design applications; and (4) Statement that the entire delay was unintentional.		
1. Petition fee		
<input type="checkbox"/> Small entity – fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.		
<input checked="" type="checkbox"/> Other than small entity – fee \$ <u>1,500.00</u> (37 CFR 1.17(m))		
2. Reply and/or fee		
A. The reply and/or fee to the above-noted Office action in the form of _____ (Identify type of reply):		
<input type="checkbox"/> has been filed previously on _____		
<input type="checkbox"/> is enclosed herewith.		
B. The issue fee and publication fee (if applicable) of \$ <u>1,700.00</u>		
<input type="checkbox"/> has been paid previously on _____		
<input checked="" type="checkbox"/> is enclosed herewith.		
Page 1 of 2	09/15/2006 WASFAW2 00000074 031952 1061858	
	01 FC:1453	1500.00 DA
	02 FC:1501	1400.00 DA
	03 FC:1504	300.00 DA

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SEP 14 2006

PTO/SB/17 (01-06)

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FEE TRANSMITTAL For FY 2006		Complete if Known	
		Application Number	10/618,588
		Filing Date	July 15, 2003
		First Named Inventor	Makoto TSUJI
		Examiner Name	T. Van Roy
<input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27		Art Unit	2828
TOTAL AMOUNT OF PAYMENT		Attorney Docket No.	204552029300
TOTAL AMOUNT OF PAYMENT		(\$)	3,200.00

METHOD OF PAYMENT (check all that apply)

<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> None	<input type="checkbox"/> Other (please identify):
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Foerster LLP				
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)				
<input checked="" type="checkbox"/> Charge fee(s) indicated below		<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee		
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17		<input checked="" type="checkbox"/> Credit any overpayments		

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
				Fee (\$)

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50	(round up to a whole number) x		

4. OTHER FEE(S)

Non-English Specification. \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1463 Petition to revive unintentionally abandoned ...

1501 Utility issue fee

1604 Publication fee for early, voluntary, or normal ...

1,500.00

1,400.00

300.00

SUBMITTED BY

Signature	<i>Dorothy S. Gladstein</i>	Registration No. (Attorney/Agent)	43,836	Telephone	(703) 780-7763
Name (Print/Type)	Dorothy S. Gladstein	Date	September 14, 2006		

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PTO/SB/64 (10-06)

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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Deborah S. Gladstein
Signature

September 14, 2006
Date

Deborah S. Gladstein
Typed or printed name

43,636
Registration Number, if applicable

MORRISON & FOERSTER LLP
1650 Tysons Blvd, Suite 300
McLean, Virginia 22102
Address

(703) 760-7753
Telephone Number

- Enclosures: ☒ Fee Payment
- ☐ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☐ Other: _____

Page 2 of 2

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: September 14, 2006

Signature: Nancy DeRiggi (Nancy DeRiggi)

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PAGE 4/5 * RCVD AT 9/14/2006 11:10:57 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-3/0 * DNIS:2738300 * CSID:703 760 7777 * DURATION (mm-ss):01-50

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SEP 14 2006

FAX TRANSMISSION**DATE:** September 14, 2006**PTO IDENTIFIER:** Application Number 10/618,588
Patent Number**Inventor:** Makoto TSUJI**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** MORRISON & FOERSTER LLP

Deborah S. Gladstein

PHONE: (703) 760-7753**Attorney Dkt. #:** 204552029300**PAGES (Including Cover Sheet):** 5**CONTENTS:** Fee Transmittal (1 page)
Petition to Revive Application Unintentionally Abandoned (2 pages)
Certificate of Transmission (1 page)

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Application No. (if known): 10/618,588

Attorney Docket No.: 204552029300

Certificate of Transmission under 37 CFR 1.8

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on September 14, 2008
Date


SignatureNancy DeRiggi
Typed or printed name of person signing CertificateRegistration Number, if applicable(703) 760-7749
Telephone Number

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Fee Transmittal (1 page)

Petition to Revive Application Unintentionally Abandoned (2 pages)